

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

JAMES ALLAN HENNIS and
SANDRA KAREN HARRIS

PLAINTIFFS

v.

Civil Action No. 2:10cv20-KS-MTP

TRUSTMARK BANK, et al.

DEFENDANTS

ORDER

THIS MATTER is before the court on Plaintiffs' Motion [26] to Deny Time Extension and Motion[28] for Default Judgment. Having reviewed the motions and the docket in this matter, the court finds that the motions are not well-taken and should be denied.

In [26], Plaintiff asks the court to deny Defendants Advanced Call Center Technologies, LLC ("Advanced"), Advanta Bank Corp. ("Advanta"), Discover Bank and Discover Financial Services, LLC (collectively, "Discover"), Trustmark National Bank ("Trustmark"), GE Money Bank ("GE") and Belk an extension of time to answer the complaint. However, the court has already granted Discover's, Trustmark's, Advanced's and Advanta's separate motions [10] [12] [14] [16] for extension of time to answer. The other defendants (GE and Belk) have not requested an extension of time to answer, and their answers are not yet due. *See* Returns on Summonses [19]. Accordingly, this motion will be denied as moot.

In [28], Plaintiffs seek a default judgment against Defendants BMW Bank of NA, BMW Financial Services, Financial Services Remarketing Inc., BMW Card Services, HSBC Bank, GM Flex Card, Advanta, GE and Belk. However, not only do Plaintiffs provide no basis whatsoever for a default judgment, but the deadline for these Defendants to answer has not yet passed. Accordingly, this motion will be denied as premature.

IT IS, THEREFORE, ORDERED and ADJUDGED that Plaintiffs' Motion [26] to Deny

Time Extension and Motion[28] for Default Judgment are denied.

SO ORDERED this the 2nd day of March, 2010.

s/ Michael T. Parker

United States Magistrate Judge